

United States Senate

WASHINGTON, DC 20510

October 14, 2021

Mr. Alan F. Estevez
Under Secretary of Commerce for Industry and Security Designate
United States Department of Commerce
1401 Constitution Ave. NW
Washington, DC 20230

Dear Mr. Estevez,

As your nomination proceeds for consideration before the entire United States Senate, we request that you provide written answers to the enclosed questions.

Thank you for your attention to these important matters of national security. We look forward to hearing from you.

Sincerely,



Tom Cotton
United States Senator



Bill Hagerty
United States Senator

Questions for Mr. Alan Estevez

Note: When asked to make a commitment, please begin your written response with either a "Yes" or a "No."

1. China threat briefings:

- (A) Prior to your possible confirmation, will you commit to receiving a briefing on China's overseas technology-acquisition strategy from think tank experts working on these issues? Our offices are happy to recommend nonpartisan scholars at Georgetown's Center for Security and Emerging Technology, the American Enterprise Institute, the Foundation for Defense of Democracies, Center for a New American Security, or other think tanks.
- (B) If confirmed, will you commit to ensuring that Bureau of Industry and Security (BIS) officials processing People's Republic of China-related licensing requests are regularly briefed by both open-source and Intelligence Community experts on China's technology and Military-Civil Fusion plans?

2. Accelerating emerging and foundational technology lists:

- (A) If confirmed, will you commit to accelerating the process at BIS to develop and publish a list of foundational technologies and to further develop BIS's incomplete list of emerging technologies?
- (B) If confirmed, will you commit to briefing Congress, including our offices, regularly regarding the ongoing, interagency process on emerging and foundational technologies set up by law?

3. Controlling semiconductor design and production tools: If confirmed, will you commit to strengthening U.S. restrictions on the export of semiconductor software and tooling to the Peoples Republic of China (PRC) and PRC end-users? This commitment would include a review of U.S. export control policies towards electronic design automation (EDA) software, extreme ultraviolet lithography (EUV) systems, and related tools.

4. BIS use of classified systems: BIS is a national-security bureau. Based on your years of experience in government, is the BIS security infrastructure—including access to SCIFs and use of classified networks—comparable to other national security agencies? If confirmed, will you commit to reviewing BIS security practices, especially security practices used during export-control licensing and entity list deliberations?

5. Foreign Direct Product Rule:

(A) Do you believe the use of the Foreign Direct Product Rule on Huawei achieved a national security success with limited harm to U.S. industry?

(B) If your answer to 5A was “Yes,” will you commit to conducting a review regarding the possible expansion of the foreign direct product rule to all entities on the Commerce Department’s Entity List from the PRC that are related to the Chinese military or linked to the Chinese Communist Party’s human rights violations?

6. Huawei Cloud Services: Is the global spread of Huawei Cloud Services a data security and privacy concern for the United States?

7. Honor (Huawei): Do you believe that Chinese smartphone-maker Honor should be placed on the Commerce Department’s Entity List?

8. Genocide against the Uyghurs: Do you believe that Chinese technology companies are actively assisting the Chinese government—which is currently committing genocide—in maintaining a surveillance system in Xinjiang used to track and suppress the Uyghur population?